

104TH CONGRESS
2D SESSION

H. R. 3522

To amend title 23, United States Code, to ensure consideration of and planning for reuse or disposal of construction and demolition debris resulting from highway projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 1996

Mrs. COLLINS of Illinois introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to ensure consideration of and planning for reuse or disposal of construction and demolition debris resulting from highway projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Construction and Dem-
5 olition Debris Disposal Act”.

6 **SEC. 2. STANDARDS.**

7 (a) GUIDELINES.—Section 109(h) of title 23, United
8 States Code, is amended—

1 (1) by striking “and” at the end of paragraph
2 (4);

3 (2) by striking the period at the end of para-
4 graph (5) and inserting “; and”; and

5 (3) by inserting after paragraph (5) the follow-
6 ing:

7 “(6) method and location of disposal of con-
8 struction and demolition debris resulting from the
9 project, including transportation of such debris.”.

10 (b) INTENT OF CONGRESS.—Section 109(o) of such
11 title is amended—

12 (1) by inserting “(1)” after “Congress”; and

13 (2) by inserting before the period at the end the
14 following: “; and (2) that any project for resur-
15 facing, restoring, or rehabilitating any highway
16 (other than a highway access to which is fully con-
17 trolled) in which Federal funds participate shall in-
18 clude, to the extent possible, as a part of the project
19 the reuse or recycling of any construction and demo-
20 lition debris resulting from the project and, in any
21 case in which such reuse or recycling is not possible,
22 include a requirement that the construction and
23 demolition debris will be disposed of in existing mu-
24 nicipal landfills or used for fill as permitted under
25 State and local law”.

1 **SEC. 3. PUBLIC HEARINGS.**

2 (a) REQUIREMENTS.—Section 128(a) of title 23,
3 United States Code, is amended—

4 (1) by inserting before the period at the end of
5 the first sentence the following: “and has considered
6 the economic, social, environmental, and other ef-
7 fects of the method and location of disposal of con-
8 struction and demolition debris resulting from the
9 project”;

10 (2) in the second sentence by striking “enabling
11 persons in” and all that follows through the period
12 and inserting the following: “enabling persons in
13 areas through or contiguous to whose property or
14 schools the highway will pass or into whose neigh-
15 borhoods construction and demolition debris from
16 the project will be disposed of to express any objec-
17 tions they may have to the proposed locations of
18 such highway or the proposed transportation or dis-
19 posal.”; and

20 (3) by inserting before the period at the end of
21 the third sentence the following: “and the method
22 and location of the disposal of construction and dem-
23 olition debris resulting from the project”.

24 (b) SPECIAL RULES FOR HEARINGS ON DISPOSAL OF
25 DEBRIS.—Section 128 of such title is amended by redesign-

1 nating subsection (b) as subsection (c) and by inserting
2 after subsection (a) the following:

3 “(b) SPECIAL RULES FOR HEARINGS ON DISPOSAL
4 OF DEBRIS.—

5 “(1) CONSIDERATION OF OTHER DEBRIS.—The
6 hearings held under subsection (a) with respect to
7 the economic, social, environmental, and other ef-
8 fects of the method and location of disposal of con-
9 struction and demolition debris resulting from a
10 project shall include consideration of the following:

11 “(A) Debris resulting from any previous
12 construction that must be removed in order to
13 carry out the project.

14 “(B) Debris resulting from any renovation,
15 rebuilding, or construction attributable to the
16 project, including relocation of dwellings, build-
17 ings, or other facilities.

18 “(C) Other construction and demolition de-
19bris indirectly attributable to the project.

20 “(2) PERSONAL NOTIFICATION.—If the location
21 proposed for the disposal of the construction and
22 demolition debris is not in an existing municipal
23 solid waste landfill, contiguous property owners to
24 the proposed location shall be personally notified of
25 the public hearing.”.

1 **SEC. 4. STATEWIDE PLANNING.**

2 Section 135(c) of title 23, United States Code, is
3 amended by adding at the end the following:

4 “(21) The economic, social, environmental, and
5 other effects of the method and location of the dis-
6 posal of construction and demolition debris resulting
7 from the project, including debris described in sec-
8 tion 128(b)(1).”.

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